

AUG 16 2005

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

**TRIAL MINUTES OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS**

CR-03-00001

August 16, 2005  
9:00 a.m.

**UNITED STATES OF AMERICA -v- VANN LE, et., al.**

**PRESENT:** Hon. Alex R. Munson, Chief Judge Presiding  
Sanae Shmull, Court Reporter  
K. Lynn Lemieux, Courtroom Deputy  
Timothy Moran, Assistant U. S. Attorney  
G. Anthony Long, Attorney for Defendant  
Vann Le, Defendant

**PROCEEDINGS:** JURY TRIAL - Day Two

Government by Timothy Moran, AUSA. Attorney G. Anthony Long was present on behalf of and with defendant, Vann Le. 12 regular jurors and 2 alternate jurors were present (Juror #5 Joaquin Lizama was excused on 8/15/05 due to illness.)

At 9:00 a.m., out of the presence of the jury, Government brought up matters that needed to be discussed regarding issues that may or may not be raised during trial. Defense made their opinion know to the Court.

Jurors were brought into the courtroom at 9:45 a.m.. Court announced to the jurors that juror #5, Joaquin Lizama, would not be able to continue as a juror and that he had been excused. Further, Court instructed Mona Barcinas, alternate one, that she would become a member of the jury panel and sit in juror seat No. Five.

Court began introduction to the trial at 9:46 a.m.

Government began opening statement of their case at 10:00 a.m. and finished at 10:10 a.m.

Defense began opening statement at 10:10 a.m. and concluded at 10:14 a.m.

Parties stipulated to keep all witnesses out of the courtroom prior to testifying. Court so ordered.

Government called witness:

ALAN LACSAMANA. (Employee of City Trust Bank) DX. Ex. 1,2,3,4,5,6 (photos of

Bank Interior). Government offered **Exhibits 1-6 into evidence**; there being no objection, Court so ordered. Government offered **Exhibits 7,8 and 9 into evidence**; there being no objection, Court so ordered. CX. Witness was excused.

Court recessed at 10:35 a.m. and reconvened at 12:00 p.m. Court dismissed the jurors for lunch and ordered that they return at 1:30 p.m.

Court recessed at 12:01 p.m. and reconvened at 1:30 p.m.

Outside the presence of the jurors, Defense made a motion regarding the use of Lionel Borja's testimony before the Grand Jury. Government argued. Court denied the motion.

Jurors were brought into the Courtroom at 1:40 p.m.

Government called witness:

**LIONEL BORJA.** DX. Government moved to admit **Exhibit 10** (Borja's Plea Agreement) into evidence; there being no objection, Court so ordered. Government offered **Exhibit 11** (photo of SUV) into evidence; over objection, Court so ordered. Defense began CX at 2:15 p.m. Defense moved to admit Ex. C (Information) into evidence, Government objected. Court received **Exhibit C** over objection. Defense moved to admit **Exhibit E** into evidence, over objection, Court so ordered. RDX. Witness was excused.

Court recessed at 3:05 p.m. for afternoon break and reconvened at 3:30 p.m.

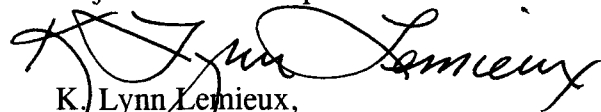
Government called witness:

**PETER TABABA.** DX. Defense began CX at 3:47 p.m. Defense moved to admit Exhibit P into evidence; over objection, Court so ordered. Defense moved to admit Exhibit O into evidence; over objection, Court so ordered. RDX. Witness was excused.

At 4:10 p.m. Court recessed the jurors for the evening and ordered them to return tomorrow at 9:00 a.m.

Outside the presence of the jury, Court had discussions with the parties regarding jury instructions.

Adjourned at 4:30 p.m.

  
K. Lynn Lemieux,  
Courtroom Deputy